

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

CK18-254 ECT/LIB

UNITED STATES OF AMERICA,

**INDICTMENT**

Plaintiff,

18 U.S.C. § 2252(a)(2)

18 U.S.C. § 2252(a)(4)(B)

v.

18 U.S.C. § 2252(b)(1)

18 U.S.C. § 2252(b)(2)

MICHAEL PATRICK BUSHEY,

18 U.S.C. § 2253(b)

21 U.S.C. § 853(p)

Defendant.

THE UNITED STATES GRAND JURY CHARGES THAT:

**COUNTS 1-2**

(Distribution of Child Pornography)

On or about the dates set forth below, in the State and District of Minnesota, the  
defendant,

**MICHAEL PATRICK BUSHEY,**

having been previously convicted under the laws of the State of Minnesota relating to the possession of child pornography, namely, a conviction on or about June 6, 2013, in St. Louis County, Minnesota, for Possession of Pornographic Work Involving a Minor, did knowingly distribute visual depictions using a means and facility of interstate and foreign commerce and that had been mailed, shipped and transported in interstate and foreign commerce, by any means including by computer and cellular telephone, where the production of such visual depictions involved the use of a minor engaging in sexually explicit conduct and such depictions were of such conduct, to wit:



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COUNT	DATE	COMPUTER FILE NAME	DESCRIPTION OF COMPUTER FILE
1	07/05/2015	sexiblMIX__11jpg_500jpg_500.jpg	An image depicting a nude, minor female lying on her back. An adult male is straddling her hip area, and she has the adult male's penis in her hands and what appears to be semen on her face.
2	09/20/2015	falkoimage017.jpg	An image depicting a nude, minor female on her hands and knees, with her buttocks towards the camera. A nude adult male is kneeling near the minor female, holding his penis against the minor female's genitals. His right hand is on her left buttock.

all in violation of Title 18, United States Code, Sections 2252(a)(2) and 2252(b)(1).

**COUNTS 3-4**

(Receipt of Child Pornography)

On or about the dates set forth below, in the State and District of Minnesota, the defendant,

**MICHAEL PATRICK BUSHEY,**

having been previously convicted under the laws of the State of Minnesota relating to the possession of child pornography, namely, a conviction on or about June 6, 2013, in St. Louis County, Minnesota, for Possession of Pornographic Work Involving a Minor, did knowingly receive visual depictions using a means and facility of interstate and foreign commerce and that had been mailed, shipped and transported in interstate and foreign commerce, by any means including by computer and cellular telephone, where the production of such visual depictions involved the use of a minor engaging in sexually explicit conduct and such depictions were of such conduct, to wit:

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COUNT	DATE	COMPUTER FILE NAME	DESCRIPTION OF COMPUTER FILE
3	05/11/2015	Attachments-2/00m42s 640x480 2011 Elly fuck (convert-video-online.com).mp4	A video, 43 seconds in duration, depicting a minor female straddling the upper thighs of an adult male, exposing her genitals to the viewer. The child is made to place her hands on the penis of the male. The video later zooms in on the female minor's vagina as the penis is penetrating it.
4	05/12/2015	Attachments-9/dcp_2293c.jpg	An image depicting a female minor lying back on a pillow. She is licking an adult penis.

all in violation of Title 18, United States Code, Sections 2252(a)(2) and 2252(b)(1).

### **COUNT 5**

(Possession of Child Pornography)

On or about January 27, 2016, in the State and District of Minnesota, the defendant,

**MICHAEL PATRICK BUSHEY,**

having been previously convicted under the laws of the State of Minnesota relating to the possession of child pornography, namely, a conviction on or about June 6, 2013, in St. Louis County, Minnesota, for Possession of Pornographic Work Involving a Minor, did knowingly possess one or more matters which contained visual depictions that had been shipped and transported using a means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce, by any means including computer, where the production of such visual depictions involved the use of a minor engaging in sexually explicit conduct and such visual depictions were of such conduct, including, but not limited to, the following computer image and video files:

- a) 4yo pthc r@ygold real!!.mov, a video, one minute and 14 seconds in duration, depicting an adult male penetrating the vagina of a minor female with his penis;



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- b) 116 (393).jpg), an image depicting a nude, minor female kneeling and using her hands to pull apart her buttocks, exposing her anus and vagina to the camera;
- c) image-2.jpeg, an image depicting a nude, minor female lying on her back and using her hands to pull apart her buttocks, exposing her anus and vagina to the camera; and
- d) 0120883\_.jpg, an image depicting a nude, minor female lying on her back, exposing her genitals to the camera. An adult penis is penetrating the minor female's anus.

all in violation of Title 18, United States Code, Sections 2252(a)(4)(B) and 2252(b)(2).

### **FORFEITURE ALLEGATIONS**

Counts 1-5 of this Indictment are hereby realleged and incorporated as if fully set forth herein by reference, for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 2253(a).

Upon conviction of the foregoing offenses, the defendant shall forfeit to the United States pursuant to Title 18, United States Code, Section 2253(a):

(1) any visual depiction described in section 2251, 2251A, 2252, 2252A, 2252B, or 2260 of this chapter, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Chapter 110, United States Code;

(2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offenses; and

(3) any property, real or personal, used or intended to be used to commit or to promote the commission of such offenses or any property traceable to such property, including an LG Model LGL34C cellular telephone, serial number 503CYAS2498216.

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If any of the above-described forfeitable property is unavailable for forfeiture, the United States intends to seek the forfeiture of substitute property as provided for in Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b).

A TRUE BILL

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UNITED STATES ATTORNEY

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FOREPERSON